CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

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Amendments to the draft treaty on the non-proliferation of nuclear weapons

I. ARTICLE III

1. Introduce a new paragraph - paragraph 1 - worded as follows:

"1. The control established by this Article shall have the exclusive purpose of preventing the use of special fissionable materials for the production of nuclear weapons or other nuclear explosive devices by non-nuclear-weapon States Party to the Treaty. Control shall be applied to such peaceful nuclear activities of non-nuclear-weapon States Party to the Treaty as, by their nature and the quantities of source and special fissionable materials which they produce, process or use, may lead to the proliferation of nuclear weapons."

2. Amend paragraph 1 of the present text, which becomes paragraph 2 in the proposed formulation, in the following way:

(a) Replace the words "assumed under this Treaty" by the words "assumed under Articles I and II of this Treaty".

(b) Replace the expression "required by this Article" by the expression "stipulated in the aforesaid agreement concluded with the International Atomic Energy Agency".

(c) Replace the last sentence, beginning "The safeguards required by this Article", by the following sentence: "The safeguards stipulated in the aforesaid agreement concluded with the International Atomic Energy Agency shall be applied on all source or special fissionable material which exceeds the qualitative and quantitative limits beyond which its use in peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere may lead to the production of nuclear weapons or other nuclear explosive devices".

3. Amend paragraph 2 of the present text, which becomes paragraph 3 in the proposed formulation, by replacing the words "safeguards required by this Article" by the words "safeguards stipulated in the aforesaid agreement concluded with the International Atomic Energy Agency".

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4. Amend paragraph 3 of the present text, which becomes paragraph 4 of the proposed formulation, in the following way:

(a) Replace the words "The safeguards required by this Article" by the words "The safeguards stipulated by the aforesaid agreement concluded with the International Atomic Energy Agency".

(b) Replace the words "in accordance with the provisions of this Article" by the words "in accordance with the provisions of the Statute of the International Atomic Energy Agency, the Agency's safeguards system".

5. Paragraph 4 of the present text becomes, as a result of the foregoing amendments, paragraph 5.

6. Insert at the end of the present text a new paragraph worded as follows:

"6. The States Party to the Treaty agree to establish through the Security Council an appropriate control to ensure that non-nuclear-weapon States Party to the Treaty on whose territory there are foreign military bases shall not acquire in any form whatsoever access to nuclear weapons indirectly through such bases".

As a result of the proposed amendments Article III will have the following wording:

"1. The control established by this Article shall have the exclusive purpose of preventing the use of special fissionable materials for the production of nuclear weapons or other nuclear explosive devices by non-nuclear-weapon States Party to the Treaty. Control shall be applied to such peaceful nuclear activities of non-nuclear-weapon States Party to the Treaty as, by their nature and the quantities of source and special fissionable materials which they produce, process or use, may lead to the proliferation of nuclear weapons.

2. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency, in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfilment of its obligations assumed under Articles I and II of this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards stipulated in the aforesaid agreement concluded with the International Atomic Energy Agency shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility

or is outside any such facility. The safeguards stipulated in the aforesaid agreement concluded with the International Atomic Energy Agency shall be applied on all source or special fissionable material which exceeds the qualitative and quantitative limits beyond which its use in peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere may lead to the production of nuclear weapons or other nuclear explosive devices.

3. Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material specially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards stipulated in the aforesaid agreement concluded with the International Atomic Energy Agency.

4. The safeguards stipulated in the aforesaid agreement concluded with the International Atomic Energy Agency shall be implemented in a manner designed to comply with the provisions of Article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international co-operation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of the Statute of the International Atomic Energy Agency, the Agency's safeguards system and the principle of safeguarding set forth in the Preamble.

5. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this Article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.

6. The States Party to the Treaty agree to establish through the Security Council an appropriate control to ensure that non-nuclear-weapon States Party to the Treaty on whose territory there are foreign military bases shall not acquire in any form whatsoever access to nuclear weapons indirectly through such bases".

II. ARTICLE VI

Replace the present text by the following formulation:

"1. Nuclear-weapon States Party to the Treaty undertake to adopt specific measures to bring about as soon as possible the cessation of the manufacture of nuclear weapons and the reduction and destruction of nuclear weapons and the means of their delivery.

2. If, five years after the entry into force of this Treaty, such measures shall not have been taken, the Parties shall examine the situation thus created and decide on the measures to be taken".

III. ARTICLE VI-A

Insert a new article worded as follows:

"Nuclear-weapon States solemnly undertake never in any circumstances to use or threaten to use nuclear weapons against non-nuclear-weapon States which undertake not to manufacture or acquire nuclear weapons".

IV. ARTICLE VIII

After paragraph 3, add a new paragraph:

"Such conferences shall be convened thereafter periodically every five years, to review the manner in which the obligations assumed by all Parties to this Treaty are carried out".

V. ARTICLE X

Delete the last sentence of the first paragraph of this Article: "Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests".